

H. A. SHOOK

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA. LAWS P. 4469, ET SEQ., BY AMENDING ARTICLE 2, CHAPTER 3, SECTION 2-302(c) SO AS TO REQUIRE AN AFFIRMATIVE VOTE OF TWO-THIRDS OF THE TOTAL MEMBERSHIP OF THE CITY COUNCIL TO APPROVE ANY ORDINANCE THAT WOULD RESULT IN AN INCREASE IN TAXES, FEES, OR BOND INDEBTEDNESS; AND FOR OTHER PURPOSES.

WHEREAS, the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws P. 4469, et seq. (hereinafter "the Charter") establishes the powers and authority of the City Council;

WHEREAS, Article 2, Chapter 3, Section 2-302(a) of the Charter provides that the City Council can, by ordinance, adopt and publish rules to govern its proceedings and transaction of business consistent with the provisions of the Charter;

WHEREAS, it is the wish of the City Council to require an affirmative vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in an increase in taxes, an increase of fees, or an increase in the City's bond indebtedness; and

WHEREAS,

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

Section 1: That Article 2, Chapter 3, Section 2-302 of the Charter of the City of Atlanta be amended to read as follows:

Section 2-302. Rules; quorum; voting.

(a) The council shall by ordinance adopt and publish rules to govern its proceedings and transaction of business consistent with the provisions of this Charter.

(b) A majority of the councilmembers, excluding the president, shall constitute a quorum, but a smaller number may adjourn from time to time and may compel the attendance of absent members. The council may by ordinance provide methods to compel the attendance of its members and to punish for the violation thereof.

(c) The affirmative vote of a majority of the councilmembers shall be required for the transaction of business and the passage of ordinances and resolutions, except as otherwise

provided by law. **The affirmative vote of two-thirds of the total membership of the council shall be required for the passage of ordinances that would result in any of the following: an increase in taxes, an increase of fees, or an increase in the city's bond indebtedness.**

(d) Where no quorum can be assembled except by the filling of vacancies, a smaller number of members may transact business by a majority vote of members present to the extent necessary to fill such vacancies in the membership of the council as provided in this Charter and by law. Should the number of vacancies in the membership of the council be one-half or greater than its total membership, the remaining members of the council shall cause to be called a special election to fill such vacancies.

(e) No member of the council, or the president of the council, shall vote on matters involving the consideration of his or her own conduct, which would inure to his or her financial or personal interests, or which would be a conflict of interest as provided in Chapter 4 of Article 5 herein or by ordinance. Prior to the vote being taken, such member of council shall publicly state the nature of his or her interest in the matter from which he or she is abstaining from voting. Additionally, such member of council shall disclose such interest in writing, via the submission of an electronic form prescribed by the board of ethics upon his or her recognition of said conflicts.

(f) No councilmember present at a meeting of a quorum of the city council shall abstain from voting for any reason other than those provided herein; this requirement shall not apply to meetings of council committees.

Section 2: That a copy of this proposed amendment to the Charter of the City of Atlanta, Georgia 1996 Ga. L. (Act No. 1019, p. 4469), et seq. as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia," attached hereto and marked Exhibit "A" and made a part of this ordinance, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

Section 3: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Exhibit "A"

"Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia"

Notice is hereby given that an ordinance has been introduced to amend Section 2-302 (Entitled "Rules; quorum; voting") of the Charter of the City of Atlanta, Georgia (1996 Ga. L. (Act No. 1019), p. 4469, et. seq.) as amended, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in an increase in taxes, an increase of fees, or an increase in the City's bond indebtedness; and for other purposes.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia, for purposes of examination and inspection by the public.

This ____ day of _____, 2008.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta